

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

LARON N. CUNNINGHAM,	:	
Plaintiff,	:	Case No. 3:13cv00213
v.	:	District Judge Thomas M. Rose
	:	Chief Magistrate Judge Sharon L. Ovington
B. D. PIERCE, et al.,	:	
Defendants.	:	

DECISION AND ENTRY

The Court has reviewed the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #8), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on September 10, 2013 (Doc. #8) is ADOPTED in full;
2. Plaintiff Laron N. Cunningham's Complaint is DISMISSED WITH PREJUDICE;
3. The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that an appeal of this Order adopting the Report and Recommendations would not be taken in good faith, and consequently, leave for Plaintiff to appeal *in forma pauperis* is denied; and,
4. The case is terminated on the docket of this Court.

October 4, 2013

*s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge